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DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF FIRE SERVICES
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Frequently Asked Questions Fireworks Application

1. Question: What is required for someone to receive a consumer fireworks certificate in Michigan?

Answer: According to the Michigan Fireworks Safety Act, PA 256 of 2011, [Section 28.454](#):

- a) To obtain a consumer fireworks certificate, the application shall be submitted no later than April 1 of each year in which consumer fireworks are to be sold.
- b) The application shall be accompanied by a copy of the applicant's current sales tax license, including the applicant's account number, issued by the department of treasury for each retail location where consumer fireworks are to be sold by the applicant. If the retailer is not a sole proprietorship, please submit a Federal Tax ID number. You may need to submit site or floor plans. Please see [Fireworks Plan Submittal Guidelines](#) for guidance (if applicable).
- c) The application shall be accompanied by a fee of \$1,000.00 for a certificate for each retail location that is a permanent building or structure or \$600.00 for each retail location that is not a permanent building or structure.
- d) A consumer fireworks certificate issued under this section is valid from the date of issue until April 30 of the year after it was issued. A person may renew a consumer fireworks certificate for a retail location by making application in the same manner as provided under subsection (2). However, the department shall not issue a renewal consumer fireworks certificate unless the department determines that the applicant properly remitted all of the fireworks safety fees required to be paid in the preceding year.
- e) The retailer must pass an on-site inspection approved by the Bureau of Fire Services. An approved inspector may visit your retail location at any time, and all rules and regulations must be upheld at all times to negate the risk of receiving a citation.

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2. Question: What is required when running a Consumer Fireworks Retail Sales (CFRS) facility?

Answer: According to the Michigan Fireworks Safety Act, PA 256 of 2011, [Section 28.454](#):

- a) The holder of a consumer fireworks certificate shall prominently display the original or copy of the certificate in the appropriate retail location. A person that violates this subsection is responsible for a civil fine of \$100.00. Each day that the consumer fireworks certificate is not displayed as required under this subsection is a separate violation.
- b) If you are selling low impact fireworks in addition to the consumer fireworks; beginning February 1, 2012, a person shall not sell low-impact fireworks unless he or she [registers](#) with the low-impact fireworks retail registry not less than 10 days before selling the fireworks in each calendar year.
- c) The certificate holder will be responsible for meeting all code requirements of NFPA 1124, 2006 Edition, [Michigan Fireworks Safety Act, PA 256 of 2011](#) and the [Fireworks Safety General Rules](#). As well you will be responsible for addressing any local ordinances or laws for each location.
- d) According to [Section 28.458](#) of PA 256 of 2011; retailers are required to submit a Fireworks Retail Sales Report and pay [fire safety fees](#) on a monthly basis. All Safety Fees are due no later than 20 days after the end of each month.

3. Question: What is the Fireworks Safety Fee and how is it collected?

Answer: According to the Michigan Fireworks Safety Act, PA 256 of 2011, [Section 28.458](#):

- a) A user fee, known as the [fire safety fees](#), is imposed on retail transactions made in this state for consumer fireworks and low-impact fireworks. A person that acquires consumer fireworks or low-impact fireworks in a retail transaction is liable for the fireworks safety fee on the transaction and, except as otherwise provided in this act, shall pay the fireworks safety fee to the retailer as a separate added amount to the consideration in the transaction. The retailer shall collect the fireworks [fire safety fees](#) as an agent for the state.
- b) Retailers must collect a 6% safety fee in addition to the 6% Michigan Sales Tax on the retail sales of both consumer and low-impact fireworks. Fire [safety fees](#) must be paid to the Bureau of Fire Services and sales tax must be paid to the Department of Treasury.
- c) Sales reports and any subsequent [safety fees](#) are due 20 days after the end of every month. This requirement begins with the month that you are registered or

are issued a consumer certificate. It continues until you cancel your certificate or registration or it expires. Regardless of sales amount, even if you have zero sales, you are required to submit a report monthly.

- d) If you have not submitted all of the required reports at the time you apply for a new certificate you will not be issued a certificate. Payments for Safety Fees can be submitted online by logging into your fireworks account or by mail.
- e) A cancellation request may be submitted using the approved form [BFS-408, Written Notice of Cancellation Request](#). You will find all forms on the [Fireworks Program home page](#). The cancellation will go into effect on the first day of the month after it was submitted. Up to and including that time period you will have to meet the requirements and submit all Safety Fee Sales Reports. Reversal of the cancellation is not permitted; a new application must be made if you want to sell at the same location again.

4. Question: Is it possible to be denied a Consumer Fireworks Certificate?

Answer: Yes. If you don't meet all of the application requirements you will be denied.

Possible reasons for denial:

- If you do not submit all of your required documents at one time; you will be denied. NOTE: All documents submitted require the certificate number.
- If you do not submit your certificate fee with your documents or during the application process online; you will be denied.
- Confirmation of a valid and active Michigan Sales Tax License; this will be confirmed with the Michigan Department of Treasury. If confirmation is received not valid and active; you will be denied.
- If you had a consumer certificate the previous year and your fire safety fees and sales reports are not up to date; you will be denied.

In the event that you receive a denial notice you will have 45 days to correct any issues and resubmit any missing documentation.

5. Question: How long is the Consumer Fireworks Certificate valid for?

Answer: According to the Michigan Fireworks Safety Act, PA 256 of 2011, [Section 28.454, Section 4\(3\)](#) a consumer fireworks certificate issued under this section is valid from the date of issue until April 30 of the year after it was issued. A retailer must apply annually and meet all statutory requirements. Currently there is no renewal process in place.

6. Question: What if I only want to sell low impact fireworks like sparkling wheel devices and ground sparkling devices?

Answer: According to the Michigan Fireworks Safety Act, PA 256 of 2011, [Section 28.456\(2\)](#) the act requires that any retailer selling low-impact fireworks in the state of Michigan must [register online](#) each calendar year at least ten days prior to sales. The retailer must also collect the 6% Fireworks Safety Fee and remit those fees to the State of Michigan 20 days after the end of each month. Sales reports are required regardless of sales amount, including zero sales. This requirement begins with the month of registration and ends on December 31 of the same year. In order to sell low impact fireworks the following year, the individual must re-register.

7. Question: Do I have to register if I sell both consumer and low impact fireworks?

Answer: Yes, according to the Michigan Fireworks Safety Act, PA 256 of 2011, [Section 28.454](#), [Section 4](#), selling consumer fireworks will require a certificate for each retail sales location. Low impact sales will require a registration for each retail sales location. If you are selling both consumer fireworks and low impact fireworks you will need a consumer certificate and registration for each retail location.

8. Question: How do I know if my certificate has been issued?

Answer: Log into your fireworks account, this will open the certificate home page and you will see your application history. Each certificate will show a status as *pending*, *active*, or *lapsed*. If the status is *active* the certificate has been issued and is in the mail. If the status is *pending* your application is still being processed. If you see a red *continue* link that means your online application is incomplete. The application must be completed before we can process your certificate. ***The application must be completed prior to April 1.*** After the April 1st deadline the application will be void.

The screenshot shows a web interface titled "Low-Impact Registry Non-Permanent Structure". On the left, there is a red "Continue" link. The main content area displays the following information:

Statute:	Fireworks Safety Act	Certificate No:	2013-LT02176	Status:	Pending
		Issue Date:	Expiration Date:		
Address:					

9. Question: Can I pick up my certificate in person or receive an electronic copy?

Answer: No. The Bureau of Fire Services staff does not have access to the actual certificate document. There is no electronic copy available nor do we have a physical copy of the certificate. It is mailed from a location outside of our office. It is crucial that the mailing address you provided when you created your account has a mail receptacle, otherwise the certificate will be sent back to us and there will be a significant delay before it reaches you. The USPS mail is the only way that we may distribute a certificate to you.

10. Question: Is it possible that I could be issued a citation?

Answer: Yes, if your retail sales location does not meet the code requirements as described in the Michigan Fireworks Safety Act, PA 256 of 2011, Fireworks Safety General Rules, NFPA 1124, and NFPA 101, you may be issued a citation. At any time your retail sales location is found to be non-compliant you may be issued a citation and/or charged with a misdemeanor.

11. Question: Under what circumstances may I request a refund?

Answer: According to the Fireworks Safety General Rules, [R 29.2907](#) Refunds. Rule 7. Refunds of 70% of the certificate application fee are permitted only under either of the following conditions:

- a) The refund request is for an accidental duplicate payment for the same cfrs location for which payment was already made.
- b) The refund request is due to the death of an applicant and the certificate has not been issued.

If you meet the requirements for a refund, you may complete the [Fireworks Refund Request, BFS-400 form](#) .

12. Question: Can I transfer the ownership of my consumer fireworks certificate?

Answer: Yes, you may transfer ownership for a consumer fireworks certificate. Transfers of ownership are available for permanent facilities and temporary facilities. An ownership transfer may occur when the certificate holder wishes to transfer the certificate ownership to another individual and the retail sales location does not change. The new owner then becomes responsible for the retail sales location including all safety fee reporting and code compliance at that location.

- The new certificate owner must submit an online ownership transfer application by [creating a new fireworks account](#) or by [logging onto your fireworks account](#).
- Additionally, [Fireworks Transfer of Ownership Affidavit for Consumer Fireworks Certificate, BFS-401 form](#) must be completed if you wish to transfer ownership.
- This BFS-401 form must be signed by both parties for the transfer of ownership.
- This document must be notarized.
- You may submit the transfer ownership fee of \$25.00 online through your fireworks account or by check or money order via U.S. mail with the form.

13. Question: Can I transfer my consumer fireworks certificate location?

Answer: Yes, you may transfer the location of a consumer fireworks temporary facility. A location transfer may occur when the retail sales location is moving and the owner of

the certificate is staying the same. **Please Note:** You **may not** transfer the location of a consumer fireworks **permanent** facility.

- First, you must submit an online location transfer application by [logging onto your fireworks account](#). **PLEASE NOTE: The location transfer online application must be submitted no later than June 1. No transfer applications will be permitted after June 1.**
- Additionally, you must complete a [Transfer of Location for Consumer Fireworks Certificate, BFS-407 form](#) if you wish to transfer a location. Location transfers only apply to non-permanent structures. You may submit this form via email to fireworks@michigan.gov.
- You may submit the transfer a consumer fireworks temporary facility location fee of \$25.00 online through your fireworks account or by check or money order via U.S. mail with the form.

14. Question: Who do I contact if I have more questions?

Answer: You may refer to the [Bureau of Fire Services Fireworks Program home page](#) for information related to fireworks and access to forms. Tutorials are also posted on our website that will walk you through each step of the application, refund, transfer, fire safety fees processes. These tutorials may address many of your questions.

You may call Bureau of Fire Services main phone line at 517-241-8847; or you may also call the fireworks phone line at 517-373-7441. From February thru July we experience a heavy call volume and encourage you to submit inquiries via email to fireworks@michigan.gov.